

04-02-01

DOCKET NO.: 19603/2420 (CRF D-2354)

EXPRESS MAIL NO.: EL709323722US

A/Berger

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY PATENT APPLICATION TRANSMITTAL FORM
(only for new nonprovisional applications under 37 CFR 1.53(b))

ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

BOX: PATENT APPLICATION

SIR:

Transmitted herewith for filing is the patent application (including Specification, Claims, and Abstract 41 pages) and Sequence Listing (7 pages) of:

Inventor(s): C. Neal Stewart, Jr. and Roxanne M. Broadway

For : CABBAGE PROTEINASE INHIBITOR GENE CONFERS RESISTANCE
AGAINST PLANT PESTS

***If a CONTINUING APPLICATION, please mark where appropriate and supply the requisite information below and in a preliminary amendment:*

[] continuation [] divisional [] Continuation-In-Part (CIP)
of prior application Serial No. _____

Prior application information: Examiner :
Art Unit :

Enclosed are:

- ☒ 7 sheets of informal drawings.
- ☐ **Signed** Combined Declaration and Power of Attorney (____ pages).
- ☐ **Copy of signed** Combined Declaration and Power of Attorney (____ pages) from a prior application (1.63(d) (for continuation/divisional).
- ☐ **Signed** statement deleting inventor(s) named in prior application (____ pages) (1.63(d)(2) and 1.33(b)).
- ☐ **Incorporation By Reference:** The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the enclosed application and is hereby incorporated by reference therein.
- ☐ Assignment (____ pages) of the invention to _____.
- ☐ Assignment Transmittal Letter.
- ☐ Certified copy of a foreign priority document.
- ☐ Associate power of attorney.
- ☒ Applicant claims small entity status. (See 37 CFR 1.27.)

- ☐ Preliminary Amendment (____ pages).
- ☐ Information Disclosure Statement, form PTO-1449 (____ pages) and ____ references.
- ☒ **UNSIGNED** Combined Declaration and Power of Attorney (2 pages).
- ☒ Statement in Accordance with 37 CFR § 1.821(f) and computer readable 3.5" Diskette.
- ☒ A self-addressed, prepaid postcard acknowledging receipt.
- ☐ Other:


The Filing fee has been calculated as shown below:

(Col. 1)		(Col. 2)	SMALL ENTITY			LARGE ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE	XXXXXXXX	XXXXXXXX	XXXX	\$355	OR	XXXX	\$710
TOTAL CLAIMS	28 - 20 =	8	x 9 =	\$ 72	OR	x 18 =	\$
INDEP CLAIMS	2 - 3 =	0	x 40 =	\$ 0	OR	X80 =	\$
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			x 135 =	\$ 0	OR	x270 =	\$
*If the Total Claims are less than 20 and Indep. Claims are less than 3, enter "0" in Col. 2			TOTAL	\$427	OR	TOTAL	\$

- ☒ A check in the amount of **\$427.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1138. **A duplicate copy of this sheet is enclosed.**
- ☒ Address all future communications to:

Michael L. Goldman, Esq.
NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603

Date: March 30, 2001


Michael L. Goldman
Registration No. 30,727

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603-1051
Telephone: (716) 263-1304
Facsimile: (716) 263-1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	C. Neal Stewart, Jr. and Roxanne M. Broadway)	Examiner:
)	To Be Assigned
Serial No.	:	To Be Assigned)	
)	Art Unit:
Cnfrm. No.	:	To Be Assigned)	To Be Assigned
)	
Filed	:	Herewith)	
)	
For	:	CABBAGE PROTEINASE INHIBITOR)	
		GENE CONFERS RESISTANCE AGAINST)	
		PLANT PESTS)	

STATEMENT IN ACCORDANCE WITH 37 CFR § 1.821(f)

Assistant Commissioner for Patents
Washington, D.C. 20231


Box: Patent Application

Sir:

In accordance with 37 CFR § 1.821(f), this statement confirms that the contents of the Sequence Listing attached to the subject application as submitted herewith and on the computer readable 3.5" Diskette submitted herewith are the same.

Respectfully submitted,

Date: March 30, 2001


Michael L. Goldman
Registration No. 30,727

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603-1051
Telephone: (716) 263-1304
Facsimile: (716) 263-1600

EXPRESS MAIL CERTIFICATE

DOCKET NO. : **19603/2420 (CRF D-2354)**

APPLICANTS : **C. Neal Stewart, Jr.**
Roxanne M. Broadway

TITLE : **CABBAGE PROTEINASE INHIBITOR GENE CONFERS
RESISTANCE AGAINST PLANT PESTS**

Certificate is attached to the **Utility Patent Application Transmittal Form**
(2 pages) of the above-named application.

"EXPRESS MAIL" NUMBER: **EL709323722US**

DATE OF DEPOSIT: **March 30, 2001**

I hereby certify that this paper or fee is being deposited with the United States
Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the
date indicated above and is addressed to the Assistant Commissioner for Patents,
Washington, D.C. 20231, **Box Patent Application**.

Ruth R. Smith

(Typed or printed name of person mailing
paper or fee)

Ruth R. Smith

(Signature of person mailing paper or fee)